

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 704620 95345
Express Mail Label Number

MARCH 1, 2006
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
WIETFELD ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/14082

FILED: 11 DECEMBER 2003

U.S. APPLICATION NO: 10/538,028

35 USC §371 DATE: HERewith

FOR: PROCESS FOR THE SYNTHESIS OF PEPTIDES CONTAINING A
4-HYDROXY-PROLINE SUBSTRUCTURE

MS: Missing Parts

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

The Notification of Missing Requirements of Application mailed November 9, 2005 (a copy of which is enclosed) has a shortened statutory time set to expire on January 9, 2006.

A two-month extension is hereby requested pursuant to 37 CFR §1.136(a). Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$450 for payment of the extension fee.

In response, applicants now submit an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 19-0134 in the name of Novartis.

Applicants have also enclosed a Request to Correct Inventorship of Nonprovisional

Application, Added Inventors' Statements, and Fee Letter.

03/07/2006 LLANDGRA 00000062 190134 10538028

01 FC:1252 450.00 DA
02 FC:1617 130.00 DA

RECEIVED
MAR 10 2006

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

AP20 Rec'd PCT/PTO 01 MAR 2006

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7898
Date: March 1, 2006

Lydia T. McNally
Lydia T. McNally
Attorney for Applicants
Reg. No. 36,214



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/538,028 | Bernhard Wietfeld | ON/4-32797A |

1095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080

LTM



| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/EP03/14082 | |
| I.A. FILING DATE | PRIORITY DATE |
| 12/11/2003 | 12/12/2002 |

CONFIRMATION NO. 8921
371 FORMALITIES LETTER



OC000000017424426

Date Mailed: 11/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Copy of IPE Report filed on 06/08/2005
- Preliminary Amendments filed on 06/08/2005
- Oath or Declaration filed on 06/08/2005
- Request for Immediate Examination filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Priority Documents filed on 06/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

DOCKETED FOR: Jan. 9, 2006

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/538,028 | PCT/EP03/14082 | ON/4-32797A |

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
WIETFELD ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/14082

FILED: 11 DECEMBER 2003

U.S. APPLICATION NO: 10/538,028

35 USC §371 DATE: 8 JUNE 2005

FOR: PROCESS FOR THE SYNTHESIS OF PEPTIDES CONTAINING A
4-HYDROXY-PROLINE SUBSTRUCTURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

FEE LETTER UNDER 37 CFR §1.17(I)

Sir:

Enclosed herewith is a Request to Correct Inventorship in a Nonprovisional
Application in the above-identified application.

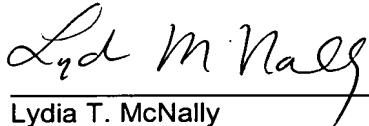
The Commissioner is hereby authorized to charge the \$130 fee under 37 CFR
§1.17(i) and any additional fees that may be required to Deposit Account No. 19-0134 in the
name of Novartis. An additional copy of this paper is here enclosed.

03/07/2006 LLANDGRA 00000062 190134 10538028

03 FC:1464 130.00 DA

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7898

Respectfully submitted,


Lydia T. McNally
Attorney for Applicants
Reg. No. 36,214

Date: *March 1, 2006*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP
OF NONPROVISIONAL APPLICATION

Sir:

Applicants request that the following names, omitted by error, be added as inventors to this application.

Bernhard **Erb**, residing in Gipf-Oberfrick, Switzerland

Werner **Pachinger**, residing in Basel, Switzerland

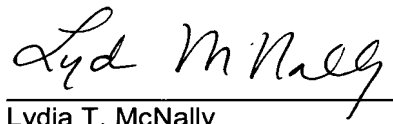
The undersigned avers that the inventorship errors occurred without deceptive intention on the part of the omitted inventors.

In support of this request, the following are enclosed:

- (a) Statements by Bernhard **Erb** and Werner **Pachinger** indicating that the inventorship errors occurred without deceptive intention on their part.
- (b) An authorization to deduct any processing fee due from a deposit account.

Also enclosed is the Declaration and Power of Attorney executed by Bernhard **Erb** and Werner **Pachinger**.

Respectfully submitted,



Lydia T. McNally
Attorney for Applicants
Reg. No. 36,214

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
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Date: *March 1, 2006*

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

ADDED INVENTOR'S STATEMENT IN SUPPORT OF A REQUEST TO CORRECT
INVENTORSHIP IN A NONPROVISIONAL APPLICATION

Sir:

I, Werner Pachinger, believe that I was incorrectly omitted as an inventor on the above-identified U.S. nonprovisional patent application. The inventorship error occurred without deceptive intention on my part.

Respectfully submitted,


Werner Pachinger

Date: 20. October 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF
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FOR: PROCESS FOR THE SYNTHESIS OF PEPTIDES CONTAINING A
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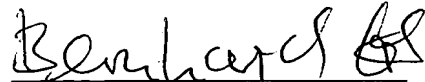
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

ADDED INVENTOR'S STATEMENT IN SUPPORT OF A REQUEST TO CORRECT
INVENTORSHIP IN A NONPROVISIONAL APPLICATION

Sir:

I, Bernhard Erb, believe that I was incorrectly omitted as an inventor on the above-identified U.S. nonprovisional patent application. The inventorship error occurred without deceptive intention on my part.

Respectfully submitted,



Bernhard Erb

Date: 20. October 2005